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October 2, 2013

*Via ECF*

Honorable Dora L. Irizarry  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Full Circle United, LLC v. Skee Ball, Inc.*  
Case No. 11-CV-5476 (DLI)(LB)  
Our File No. : 11479-000001

Dear Judge Irizarry:

We represent Full Circle United, LLC ("Full Circle") and are writing respectfully to request a case management conference. Notwithstanding extensive settlement negotiations over the past eighteen months, the parties have been unable to reach a resolution and should proceed with the litigation.

By way of further background, the parties met in July 2012 in San Francisco for mediation, and exchanged numerous proposals. Unable to reach agreement, the principals met at Skee Ball Inc.'s ("SBI") headquarters in Chalfont, Pennsylvania in February 2013, and subsequently exchanged additional draft agreements. Not having resolved the matter, the parties agreed to engage in a final mediation in Philadelphia in June 2013, and further agreed that if a resolution could not be reached by July 31, 2013, they would consider the discussions over and contact the Court.

Unfortunately the parties have not reached a resolution and, therefore, Full Circle has informed SBI that we should contact the Court. SBI indicated that it has another draft agreement it intends to send sometime next week, although Full Circle rejected its prior draft more than six weeks ago, and confirmed last week that the settlement discussions have ended. Although SBI may send additional proposals that Full Circle will consider, Full Circle believes that the litigation should move forward. The case has been pending for approximately two years, since October 5, 2011, and it is still in the pleading stage. Therefore, Full Circle requests that the Court schedule a case management conference to set a scheduling order.

Respectfully yours,

A handwritten signature in black ink, appearing to read "J. Gregory Lahr", written over a light blue horizontal line.

J. Gregory Lahr  
Sedgwick LLP

cc: All Counsel via ECF